IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE THIRTY FIRST DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 23637 of 2003

Between:

1.Nunna Venkataraju, S/o Krishna Murthy,
R/o. Vetlapalem, Samalkot Mandal, E.G.District.
2.Yadllapalli Ramalingeswara Swamy, S/o. Sriramulu,
R/o. Vetlapalem, Samalkot Mandal, E.G.District.
3.Dulla Satyanarayana, S/o. Sesha Rao,
R/o. G.Medapadu, Samalkot Mandal, E.G.District.

..... PETITIONERS

AND

1.The Govt. of A.P., Rep. by its Principal Secretary,
Agriculture and Cooperation Department, Secretariat Buildings,
Hyderabad.
2.The Commissioner for Cooperation & Registror. of Co-Op. Societies.,

Andhra Pradesh, Hyderabad.
3.The District Cooperative Officer, East Godavari District, Kakinada.
4.The Divisional Cooperative officer, Kakinada, East Godavari District.
5.The District Cooperative Central Bank Ltd., Rep. by its General

Manager, Kakinada, E.G. District,
6.The G.Medapadu Primary Agri. Co-operative Society, Rep. by its

President/Person-in-Charge, G.Medapadu, Samalkot Mandal, E.G.

District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ order or direction more particularly one in the nature of Writ of Mandamus

declaring the action of the respondent authorities in contemplating to terminate the petitioners from their services, basing on the resolution passed by the 6th respondent on 29.10.2003, is arbitrary, illegal, unconstitutional, and violative of principles of natural justice, and contrary to the provisions of A.P. Cooperative Societies Act 1964, and consequently direct the respondent authorities to continue the petitioners in their respective posts in the 6th respondent society, with all usual allowances and benefits.

Counsel for the Petitioners: MR.G.KRISHNA MURTHY

Counsel for Respondents R.1 to R.5: G.P. for Cooperation.

Counsel for the Respondent No.6: MR.C.V.MOHAN REDDY

The Court made the following:

ORDER:

The petitioners are apprehending that the respondents are contemplating to terminate their services from the 6th respondent – Society.

As the 6th Respondent – Society, which is not a State, within the meaning of Article 12 of the Constitution of India amenable to the writ jurisdiction of this Court and in view of the dismissal of batch of writ petitions in WP No.3171 of 2003 dated 30.08.2004, holding that the writ petitions are not maintainable, the present writ petition is also dismissed. No costs.

_____

31.08.2004

BSS/DSK

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1.The Principal Secretary, Agriculture and Cooperation

Department, The Govt. of A.P., Secretariat Buildings, Hyderabad.
2.The Commissioner for Cooperation & Registror of Co-Op. Societies.,

Andhra Pradesh, Hyderabad.
3.The District Cooperative Officer, East Godavari District, Kakinada.
4.The Divisional Cooperative officer, Kakinada, East Godavari District.
5.The General Manager, District Cooperative Central Bank Ltd.,

Kakinada, E.G. District,
6.The President/Person in charge,G.Medapadu Primary Agri. Co-

operative Society,,G.Medapadu, Samalkot Mandal, E.G. District.

7.2CCs to G.P. for Cooperation, High Court Buildings, Hyderabad (OUT)

8.2CD copies